

DOCKET # 03-CR-10367 MEL

USA

VS.

JAMES T. RICHARDS

MOTION TO ~~REOPEN~~ ~~RECORD~~

SUBPOENA SEALED REPORT

NOW COMES DEFENDANT, JAMES T. RICHARDS, AND HEREBY
REQUESTS THAT THIS HONORABLE COURT SUBPOENA THE REPORT
OF THE ~~THE~~ GUARDIAN AD LITEM FOR DEFENDANT'S MINOR CHILD,
OF 200 SUTTON ST, STE. 220, NO. ANDOVER, MA
SAID GAL, LUCILLE LEONARD, IN HER REPORT, WHICH WAS
SEALED BY ~~THE~~ JUSTICE STEVENS OF THE ESSEX (MASS.)
PROBATE AND FAMILY COURT, FOUND THAT DEFENDANT'S
EX-WIFE WAS SUFFERING FROM SEVERE, UNTREATED MENTAL
PROBLEMS, AND DEFENDANT WILL SHOW ~~THE~~ AT TRIAL
THAT NUMEROUS PEOPLE, INCLUDING EXPERTS SUCH AS
A PSYCHOLOGIST AND A FORMER DSS SOCIAL WORKER
(WHO IN AN AFFIDAVIT SAID THAT THE CHILD SHOULD
BE REMOVED FROM THE MOTHER'S HOME), ALL SAID THAT THE
MOTHER WAS ABUSING THE CHILD AND/OR THAT THE MOTHER'S
SEVERE MENTAL PROBLEMS WERE ADVERSELY AFFECTING THE
CHILD. DEFENDANT NEEDS THIS REPORT TO HELP ESTABLISH
TWO DEFENSES: (1) NECESSITY DEFENSE; AND (2) INTERNATIONAL
LAW DEFENSE, WHICH BASICALLY SAYS THAT THE COMMONWEALTH AND THE GOV
HAD FAILED TO PROTECT DEFENDANT'S CHILD, THAT INTERNATIONAL
TREATIES AND CONVENTIONS (TO WHICH THE UNITED STATES IS A
SIGNATORY) WERE BEING VIOLATED BY THE U.S. GOVERNMENT AND
THE GOVERNMENT OF MASS., AND THAT JUST AS ~~THE~~ THE

DEFENDANT WOULD HAVE A RIGHT TO BREAK A STATE OR FEDERAL LAW WHICH SAID "KILL JEWS OR BLACKS WHEREVER YOU FIND THEM", HE ALSO HAS A RIGHT TO BREAK THE LAW WHICH SAYS IT IS THE GOVERNMENT'S RESPONSIBILITY, NOT DEFENDANT'S, TO PROTECT DEFENDANT'S CHILD IF THE STATE AND FEDERAL GOVERNMENT HAD BOTH FAILED IN THEIR RESPONSIBILITY, WHICH IS EXACTLY WHAT HAPPENED. PROSECUTOR TOSCAS, BEING A GOOD MAN WHO LIKES CHILDREN AND WANTS THEM TO BE PROTECTED (PRESUMABLY), SHOULD WANT TO GET TO THE BOTTOM OF THE ABUSE ISSUE AND THEREFORE SHOULD NOT OPPOSE THIS MOTION.

DEFENDANT HEREDY INCORPORATES THE ACCOMPANYING AFFIDAVIT AND EXHIBITS IN SUPPORT OF THIS MOTION.

RESPECTFULLY SUBMITTED,

July 14, 2004

James T. Richards, pro se
James T. Richards

N.C.C.C., PMD-9

200 WEST ST.

DEDHAM, MA 02027

CERTIFICATE OF SERVICE

I, James T. Richards, hereby certify that I sent a copy of the above motion and accompanying affidavit and exhibits, via first class mail, postage prepaid, to George Z. Tosca, U.S. Justice Dept., Criminal Division, 950 Pennsylvania Ave, N.W., Washington, D.C. 20530-0001 on July 14, 2004. — James T. Richards